

DETAILED ACTION

1. In view of the applicant arguments filed on 08/24/2011, **PROSECUTION IS HEREBY REOPENED.** A new art rejection has been applied as set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Nasser Moazzami/

Supervisory Patent Examiner, Art Unit 2436

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 52-56 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

4. Claim 52 is rejected under 35 USC 101 as not falling within one of the four statutory categories of invention. Claim 52 is directed to a data structure. The examiner respectfully asserts that the claimed subject matter does not fall within the statutory classes listed in 35 USC 101. Claims 53-56 depend on claim 52 and are rejected under the same rationale.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. The term "sized to be smaller than a display" in claims 11,22,39,45 are a relative term, which renders the claim indefinite. The term "sized to be smaller than a display" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Appropriate correction is required

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-4, 6-9,11-13,22-23, 25-27,36-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watts (US Patent No 5712627) in view of Tang et al (hereinafter referred as Tang) US Pub No 2003/0154286 A1.

9. As per claims 1 and 6: Watts discloses a method/apparatus for making a secure identification information member for a user comprising: generating a plurality of user identifiers (See Watts col.2 lines 7-15(i.e., **sender information/ authentication card is authenticated by matching the randomly generated addressable indicium and visual filtering pattern directs the recipient to a location on the article containing sender authentication information**)); and generating a translucent identification member having a translucent area that includes the a plurality of user identifiers the translucent identification member without corresponding filtering pattern thereon(See col.3 lines 27-33 and Fig 1(i.e., **the matrix printed on the identification card is the form of a visual filtering pattern that requires the user to visually filter for information**));assigning identification information to the a plurality of user identifiers(See col.1 lines 16-17(i.e., **cards typically contain card identification number**)); storing the identification information and associated plurality of user identifiers(Seecol.3 lines 12-32 and Fig 1(i.e., **the system stores the desired authentication information corresponding to the information issued to user**)); and providing the identification information on the translucent identification member at a different location from the plurality of identification(See Fig 1 (i.e., **the identification card comprises rows and columns as location information to assist user enter corresponding indicium to access resource**)).

Watts does not explicitly teach obscured user identifiers. However Tang teaches obscured user identifiers (See 0008(i.e., **creating an obscure version of the plain text user identifier**)).

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to employ the teaching method of Tang et al within Watts et al method in order to protecting user information during authentication which enhance security of the system.

10. As per claims 2 and 7: the combination of Watts and Tang discloses the method wherein generating the one or more obscured user identifiers includes: obtaining user specific information associated with the user (See Watts col.2 lines 7-15, col.3 lines 27-33 and Fig 1 & Tang 0008); and combining the user specific information with other information to produce the one or more obscured user identifiers (See col.2 lines 7-15, col.3 lines 27-33 and Fig and Tang 0008).

11. As per claims 3 and 8: Watts discloses the method wherein generating the one or more obscured user identifiers includes: obtaining user specific information associated with the user (See Watts col.2 lines 7-15, col.3 lines 27-33 and Fig 1 & Tang 0008); and using the user specific information to produce the one or more obscured user identifiers (See Watts col.2 lines 7-15, col.3 lines 27-33 and Fig 1 & Tang 0008).

12. As per claims 4 and 9: Watts and Tang discloses the method of wherein generating the one or more obscured user identifier includes: generating the one or more obscured user identifiers using the assigned identification information. (See Watts col.2 lines 7-15, col.3 lines 27-33 and Fig 1 & Tang 0008).

13. As per claim 11: Watts discloses a method for securely providing identification information comprising: sending a visual filtering pattern to a display device wherein the filtering pattern is defined such that when the visual filtering pattern is visually combined with one or more obscured user identifiers located on a translucent identification member sized to be smaller than a display (See Fig 1 and col.3 lines 17-32 (i.e., the visual filtering pattern is the form of indicium)); and a designated one of the one or more identifiers is visually revealed (See Fig 1 and col.3 lines 17-32 (i.e., **providing indicium for user identify desired authentication**

information)); and receiving data representing the visually revealed identifier(See col.3 lines 27-33(i.e., **providing indicium**)).

Watts does not explicitly teach obscured user identifiers. However Tang teaches obscured user identifiers (See 0008(i.e., **creating an obscure version of the plain text user identifier**)).

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to employ the teaching method of Tang et al within Watts et al method in order to protecting user information during authentication which enhance security of the system.

14. As per claim 12: the combination of and Tang disclose the method including sending the received data representing the visually revealed identifier to an authentication apparatus (See Watts Fig 1 and col.3 lines 17-32).

15. As per claim 13: the combination of and Tang discloses the method wherein the data representing the visually revealed identifier is received using a device other than the device on which the visual filtering pattern is displayed (See Watts Fig 1 and col.3 lines 17-32).

16. As per claim 22: Watts disclose a method for associating secure identification information with a user comprising: receiving a request from a user for one or more user identifiers (See col.2 lines 27-40(i.e., **providing indicium/pointer or user to identify desired authentication information & the system randomly selects desired indicium to user to request information on the card**)); recording a link between the user and the identification information associated with the one or more user identifiers(See col.3 lines 12-14(i.e., **identification card and authentication information addressed by column and row**)); and wherein the one or more obscured user identifiers are on a translucent identification member,

sized to be smaller than a display, that is sent to the user(See col.2 lines 51-53(i.e., **indicia selected by the computer system and presented through printed card**)).

Watts does not explicitly teach obscured user identifiers. However Tang teaches obscured user identifiers (See 0008(i.e., **creating an obscure version of the plain text user identifier**)).

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to employ the teaching method of Tang et al within Watts et al method in order to protecting user information during authentication which enhance security of the system.

17. As per claim 23: the combination of Watts and Tang discloses the method including: providing the one or more obscured user identifiers to the user (See Watts col.2 lines 27-40 & See 0008).

18. As per claim 25: the combination of Watts and Tang discloses the method including: providing the one or more obscured user identifiers to the user are sent to third party to be placed on a translucent identification member for the user (See Tang 0035).

19. As per claim 26: the combination of Watts and Tang discloses the method wherein the one or more obscured user identifiers are sent to the user for placement on a translucent identification member (See Watts col.2 lines 27-40 and col.2 lines 51-53).

20. As per claim 27: the combination of Watts and Tang discloses the method wherein the one or more obscured user identifiers are selected from a pre-existing pool of obscured user identifiers (See Watts col.2 lines 27-40 and col.2 lines 51-53 and See 0008).

21. As per claim 36: Watts discloses an apparatus for securely providing identification information comprising : a translucent identification member authenticator, comprising one or more processors, operative to receive user data representing a revealed identifier in response to

overlaying a translucent identification member with user identifiers thereon sized to be smaller than a display on a display(See col.2 lines 37-64(i.e., **the security system retrieves location information and the desired sender authentication information for authentication and indicia selected by the computer system and presented through printed card**)); and operative to compare the received data with a corresponding expected revealed identifier to determine whether proper authentication of the user is appropriate (See Col. 2 lines 7-15(i.e., **access to secured system partially granted if the sender authentication information/identification card is authenticated by matching indicium**)).

Watts does not explicitly teach obscured user identifiers. However Tang teaches obscured user identifiers (See 0008(i.e., **creating an obscure version of the plain text user identifier**)).

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to employ the teaching method of Tang et al within Watts et al method in order to protecting user information during authentication which enhance security of the system.

26. As per claim 37: the combination of Watts and Tang disclose the apparatus wherein the translucent identification member authenticator determines the expected revealed identifier prior to the receipt of the received data corresponding to the revealed identifier (See Watts Col. 2 lines 7-15 and col.2 lines 37-64).

27. As per claim 38: Watts disclose the apparatus wherein the translucent identification member authenticator determines the expected revealed identifier after the receipt of the received data corresponding to the revealed identifier (See Watts Col. 2 lines 7-15 and col.2 lines 37-64).

28. As per claim 39: Watts discloses an apparatus for associating secure identification information with a user comprising: a circuit operative to receive a request from a user for a

translucent identification member (See col.2 lines 37-64(i.e., **the security system retrieves location information and the desired sender authentication information for authentication and indicia selected by the computer system and presented through printed card**); and operative to record a link between the user and the identification information associated with the one or more obscured user identifiers translucent identification member; sized to be smaller than a display, that is sent to the user(See col.2 lines 37-64).

Watts does not explicitly teach obscured user identifiers. However Tang teaches obscured user identifiers (See 0008(i.e., **creating an obscure version of the plain text user identifier**)).

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to employ the teaching method of Tang et al within Watts et al method in order to protecting user information during authentication which enhance security of the system.

29. As per claim 40: Watts disclose the apparatus wherein the circuit is operative to select the one or more obscured user identifiers are selected from a pre-existing pool of one or more obscured user identifiers (See Watts col.2 lines 37-64).

30. As per claims 41-42: the combination of Watts and Tang teach the circuit is operative to request information from the user that includes user specific information and wherein the user specific information is combined with other information to produce the one or more obscured user identifiers(See col.2 lines 37-64).

31. As per claim 43: Watts discloses an apparatus for securely providing identification information comprising: a visual filtering pattern generator operative to generate a visual filtering pattern based on data identifying a translucent identification member sized to be smaller than a display that has a translucent area that has a translucent area that includes one or more

obscured user identifiers such that when the visual filtering pattern is visually combined with the one or more obscured user identifiers on the translucent identification member (See Fig 1 and col.3 lines 17-32(i.e., **the visual filtering pattern is the form of indicium**)), a designated one of the one or more obscured user identifiers is revealed translucent identification member(See Col. 2 lines 7-15(i.e., **access to secured system partially granted if the sender authentication information/identification card is authenticated by matching indicium**);

Watts does not explicitly teach obscured user identifiers. However Tang teaches obscured user identifiers (See 0008(i.e., **creating an obscure version of the plain text user identifier**)).

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to employ the teaching method of Tang et al within Watts et al method in order to protecting user information during authentication which enhance security of the system.

32. As per claim 44: the combination of Watts and Tang teach a translucent identification member authenticator operative to receive data representing the revealed identifier in response to overlying the translucent identification member with one or more obscured user identifiers on a display; and to compare the received data with a corresponding expected identifier to determine whether proper authentication of the recipient is appropriate (See Watts Fig 1 and col.3 lines 17-32).

33. As per claim 45: Watts discloses a method for securely providing identification information comprising: displaying a visual filtering pattern defined such that when the visual filtering pattern is combined with one or more obscured user identifiers located on a translucent identification member, a designated one of the one or more visual identifiers is revealed (See Fig 1 and col.3 lines 17-32(i.e., **the visual filtering pattern is the form of indicium**)); and receiving

input data representing the visually revealed identifier translucent identification member sized to be smaller than a display that is sent to the user(See Col. 2 lines 7-15(i.e., **access to secured system partially granted if the sender authentication information/identification card is authenticated by matching indicium**)).

Watts does not explicitly teach obscured user identifiers. However Tang teaches obscured user identifiers (See 0008(i.e., **creating an obscure version of the plain text user identifier**)).

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to employ the teaching method of Tang et al within Watts et al method in order to protecting user information during authentication which enhance security of the system.

34. As per claim 46: the combination of Watts and Tang disclose the method wherein displaying the visual filtering pattern includes indicating an overlay area on the display for overlaying the translucent identification member (See Fig 1 and col.3 lines 17-32).

35. As per claim 47: the combination of Watts and Tang disclose the method including the step of transmitting the received input data representing the visually revealed identifier (See Fig 1 and col.3 lines 17-32).

36. As per claim 48: the combination of Watts and Tang disclose the method wherein the received input data is received on a device other than the device that is used to display the visual filtering pattern (See Watts Fig 1 and col.3 lines 17-32).

37. As per claim 49: the combination of Watts and Tang disclose a secure identification information member comprising: a translucent area having an information pattern representing one or more identifiers configured to overlay a portion of a display screen (See Watts Fig 1 and col.3 lines 17-32).

38. As per claim 50: the combination of Watts and Tang disclose the secure identification information member including additional information thereon relating to at least one specific use of the member (See Watts Fig 1 and col.3 lines 17-32).

39. As per claim 51: the combination of Watts and Tang disclose the secure identification information member wherein the additional information represents information for use in at least one of: voting, banking, online transaction and membership (See Watts Fig 1 and col.3 lines 17-32).

Claim Rejections - 35 USC § 102

40. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

41. Claims 52-56 are rejected under 35 U.S.C. 102(b) as being anticipated by Goede et al (hereinafter referred as Goede, US Patent No 5,246,375).

42. As per claim 52: Goede discloses a transaction card comprising: a first portion at least containing transaction card account information (See col.2 lines 45-47,col.3 lines 25-29); a second portion containing a translucent identification member having a translucent area that includes one or more obscured user identifiers (See col.2 lines 45-47 and col.2 lines 56-61 and Fig 1).

43. As per claim 53: Goede disclose the transaction card wherein the second portion containing the translucent identification member includes an attached translucent identification member (See col. 1 lines 57-64).

44. As per claim 54: Goede disclose the transaction card wherein the second portion containing the translucent identification member includes an open area with a connecting structure configured to receive and hold the translucent identification member (See col.2 lines 45-47).

45. As per claim 55: Goede disclose the transaction card wherein the translucent identification member is configured to overlay at least a portion of a display screen (See col. 1 lines 57-64 and Fig 5).

46. As per claim 56: Goede disclose the transaction card wherein the translucent identification member includes a translucent area having an information pattern representing a plurality of different identifiers for use at a plurality of different times and is configured to overlay at least a portion of a display screen (See col. 1 lines 57-64 and Fig 5).

Allowable Subject Matter

47. **Claims 14-21 and 29-35 are allowed. If the other independent claims re-write including the all future of independent claims 14 & 29 then the other independent claims will be allowable**

Conclusion

48. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fikremariam Yalew whose telephone number is 5712723852. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moazzami Nasser can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Fikremariam Yalew/
Examiner, Art Unit 2436
10/20/2011